

Town Board Minutes

**Meeting
No. 13**

Special Meeting

May 18, 1994

MEETINGS TO DATE 13
NO. OF REGULARS 10
NO. OF SPECIALS 3

LANCASTER, NEW YORK
MAY 18, 1994

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 18th day of May 1994, at 7:00 P.M. and there were

PRESENT: LUCIAN J. GRECO, SUPERVISOR
ROBERT H. GIZA, COUNCIL MEMBER
DONALD E. KWAK, COUNCIL MEMBER
PATRICK C. POKORSKI, COUNCIL MEMBER
THOMAS H. VAN NORTWICK, COUNCIL MEMBER (N.B.-1)
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN P. GOBER, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR., PLANNING BOARD MEMBER
DONNA G. STEMPNIAK, PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER
MILDRED F. WHITTAKER, PLANNING BOARD MEMBER

ABSENT: GEORGE E. O'NEIL, PLANNING BOARD CHAIRMAN
N.B.-1 ABSENT FOR: BELMONT CREEK SUBDIVISION MATTER
STREAM FIELD SUBDIVISION MATTER
MC KENZIE REZONE MATTER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
JOSEPH F. REINA, ATTORNEY
ROBERT H. LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of six actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
WALDEN MEADOWS BUSINESS PARK SITE PLAN**

The Town Clerk reported that the New York State Department of Environmental Conservation, by letter dated May 18, 1994 to the Town Attorney, indicated that the DEC does not at this time concur with the Town of Lancaster acting as Lead Agency until a meeting is arranged with the Town and the project sponsors to determine the project impact upon Scajaguada Creek.

This matter was not considered at this time.

IN THE MATTER OF THE SEQR REVIEW OF THE
ARLENE MCKENZIE REZONE PETITION

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The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Arlene McKenzie Rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

NOTICE OF DETERMINATION:
ARLENE MCKENZIE REZONE PETITION
NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately .63 acres.
The location of the premises being reviewed is 395 Erie Street.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.

- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
- No adverse effects noted
- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
- No adverse effects noted
- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
- No adverse effects noted
- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
- No adverse effects noted
- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
- No adverse effects noted
- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
- No adverse effects noted
- C.7 Other impacts (including changes in use of either quantity or type of energy).
- No adverse effects noted
- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Lucian J. Greco, Supervisor
Town of Lancaster

May 18, 1994

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	ABSENT
PLANNING BOARD MEMBER O'NEIL	ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 18, 1994

**IN THE MATTER OF THE SEQR REVIEW OF THE
BUFFALO CRUSHED STONE INC. REZONE PETITION**

The Municipal Review Committee then proceeded with the Environmental Assessment on the Buffalo Crushed Stone Inc. rezone petition matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER WHITTAKER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
BUFFALO CRUSHED STONE INC. REZONE PETITION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 7 acres.

The location of the premises being reviewed is on the north side of Genesee Street, west of Gunville Road.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will have a small to moderate affect on a water body designated as protected. An erosion and sediment control plan will be required during construction.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have large impact on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
 - b) The proposed action would use water up to a maximum of 100,000 gallons per day. A discussion summary of this potentially large impact will be filed with the Town Clerk and remain as a matter of public record.
6. The proposed action will have a small to moderate affect on drainage flow patterns or surface water runoff. The DEC, by letter dated March 25, 1994, noted that part of the property is within the 100 year floodplain. Building should be avoided in that area.
7. The proposed action will have a small to moderate affect on air quality during construction.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will have a small to moderate affect on agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate affect on existing transportation systems.

15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be some small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____
Lucian J. Greco, Supervisor
Town of Lancaster

May 18, 1994

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
PLANNING BOARD MEMBER O'NEIL	ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED NO
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED NO
PLANNING BOARD MEMBER STEPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 18, 1994

IN THE MATTER OF THE SEQR REVIEW OF THE
QUEEN'S PARK SUBDIVISION

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Queen's Park Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER STEPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION
QUEEN'S PARK SUBDIVISION
NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 25 acres.

The location of the premises being reviewed is on the east side of Transit Road, south of William Street.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.

4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will have a small to moderate affect on drainage flow patterns or surface water runoff.
7. The proposed action will have a small to moderate affect on air quality during construction only.
8. The proposed action will have a small to moderate affect on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate affect on existing transportation systems.
15. The proposed action will have a small to moderate affect on the community's sources of fuel or energy supply.
16. There will be some small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____
Lucian J. Greco, Supervisor
Town of Lancaster

May 18, 1994

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
PLANNING BOARD MEMBER O'NEIL	ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER STEPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.
May 18, 1994.

IN THE MATTER OF THE SEQR REVIEW OF THE
BELMONT CREEK SUBDIVISION

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Belmont Creek Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER STEPNIAK,
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER REID, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION
BELMONT CREEK SUBDIVISION
NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

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The proposed development is of a parcel involving 11 acres.

The location of the premises being reviewed is on the west side of Central Avenue, north of Walden Avenue and south of Taft Avenue.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will have a small to moderate affect on drainage flow patterns or surface water runoff.
7. The proposed action will have a small to moderate affect on air quality during construction only.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate affect on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be some small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____
Lucian J. Greco, Supervisor
Town of Lancaster

May 18, 1994

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	ABSENT
PLANNING BOARD MEMBER O'NEIL	ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.
May 18, 1994

**IN THE MATTER OF THE SEQR REVIEW OF THE
STREAM FIELD SUBDIVISION**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Stream Field Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

The Municipal Review Committee previously adopted a Negative Declaration on this subdivision on March 29, 1993. Subsequent to this action, the project sponsor increased the number of subdivision lots from 39 to 45 requiring a new SEQR Review.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER STEPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER POKORSKI, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
STREAM FIELD SUBDIVISION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 24.47 acres.

The location of the premises being reviewed is on the east side of Transit Road, south of William Street.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate affect on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.

10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not affect existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be some small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will have a small to moderate affect on public health and safety. The Review Board notes a petroleum products pipe line passing through the proposed site.
18. The proposed action will have a small to moderate affect on the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____
Lucian J. Greco, Supervisor
Town of Lancaster

May 18, 1994

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	ABSENT
PLANNING BOARD MEMBER O'NEIL	ABSENT
PLANNING BOARD MEMBER ANDERSON	ABSTAINED
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER STEPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 18, 1994

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was
adjourned at 8:30 P.M.

Robert P. Thill

Robert P. Thill, Town Clerk